

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JANUARY 31, 1994
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:10 p.m. Mayor Golding adjourned the meeting at 4:42 p.m. to meet in Closed Session on Tuesday, February 1, 1994 at 9:30 a.m. to discuss pending litigation and meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Abdelnour (rb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Roberts-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present

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- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend Blair Tabor, Christ Church Unity.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Warden.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

ITEM-PC-1:

Comments by Don Lake regarding police responsibility and response.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A010-046.)

ITEM-PC-2: REFERRED TO CITY MANAGER

Comments by Jim Harnsberger regarding a protest in Balboa Park.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A047-075.)

ITEM-PC-3:

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Comments by Don Stillwell regarding request for proclamation.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A076-104.)

ITEM-PC-4: REFERRED TO CITY MANAGER

Comments by Ronald Gardner regarding police officer conduct.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A105-135.)

COUNCIL COMMENT:

ITEM-CC-1:

Comments by Council Member Stevens and Mayor Golding commending citizens and businesses for their response in assisting in the Los Angeles earthquake.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A136-175.)

ITEM-CC-2:

Comments by Mayor Golding regarding her trip to Washington relative to discussions on the Tijuana Sewage Treatment Plant.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A176-212.)

ITEM-30:

SUBJECT: Salk Institute Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1026) ADOPTED AS RESOLUTION R-283304

Recognizing the superior ranking and caliber of excellence attained by the Salk Institute by proclaiming January 31, 1994 to be "Salk Institute Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A441-556.)

MOTION BY MATHIS TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-not present, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31:

SUBJECT: Char O'Connell Day.

COUNCILMEMBER McCARTY'S RECOMMENDATION:

Adopt the following resolution:

(R-94-969) ADOPTED AS RESOLUTION R-283305

Commending Char O'Connell, Chair of the Colina Neighborhood Action Group, for her indispensable assistance to the citizens of San Diego; Proclaiming January 31, 1994 to be "Char O'Connell Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A568-628.)

MOTION BY McCARTY TO ADOPT. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-32: PRESENTED

Presentation to Stacey Soto, a 4th grade student at Green Elementary School, who is the winner of the 1993 Graffiti

Control Poster Contest.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A217-245.)

ITEM-33: PRESENTED

Presentation of the 1993 Municipal Employees' Civic Responsibility Organization (MECRO) campaign results by MECRO President Keith Scott and Vice President Derrick Mitchell.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A260-421.)

ITEM-34: APPROVED

Approval of Council Minutes for the Meetings of:

01/03/94
01/04/94
01/10/94
01/11/94
01/13/94 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A422-430.)

MOTION BY STALLINGS TO APPROVE. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-50:

SUBJECT: Restructuring the Housing Commission.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, amended according to the City

Council's direction on 1/18/94 (Council voted 9-0):

(O-94-59 Rev.) ADOPTED AS ORDINANCE O-18030 (New Series)

Amending Chapter IX, Article 8, Division 3, of the San Diego Municipal Code by amending Section 98.0301, relating to the San Diego Housing Commission, to provide that three votes will move items to the Housing Authority from the Housing Commission.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B053-135;D017-113.)

MOTION BY VARGAS TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by McCarty. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-51:

SUBJECT: Lease and Operating Agreements - YMCA - Rancho Penasquitos Branch.

(Rancho Penasquitos Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 1/10/94. (Council voted 8-0. District 6 not present):

(O-94-58) ADOPTED AS ORDINANCE O-18031 (New Series)

Authorizing a 50-year lease agreement with the Young Men's Christian Association of San Diego County (YMCA) for the Rancho Penasquitos Branch YMCA, and authorizing a 50-year Operating Agreement with the YMCA for construction, operation and maintenance of the Rancho Penasquitos Branch YMCA.

NOTE: 6 votes required pursuant to Section 99 of the City Charter. A notice regarding the adoption of this ordinance was published in the Daily Transcript on 1/21/94.

FILE LOCATION: LEAS-Young Men's Christian Association of San

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Diego County (YMCA), Rancho Penasquitos
Branch YMCA LEAS FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52:

SUBJECT: Amending the San Diego Municipal Code relating to Sales of Real Property to Public Agencies.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance, which was introduced on 1/18/94 (Council voted 9-0):

(O-94-54) ADOPTED AS ORDINANCE O-18032 (New Series)

Amending Chapter II, Article 2, Division 9, of the San Diego Municipal Code, by amending Section 22.0907, relating to Sales of Real Property to Public Agencies, to authorize the City Attorney to settle Eminent Domain Actions to acquire City property with a value up to \$50,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53:

SUBJECT: Prohibiting "War Games" in City Parks.

(See City Manager Report CMR-93-301.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION: On 1/12/94, PF&R voted 5-0 to recommend introduction of the following ordinance (Councilmembers Mathis, Kehoe, Warden, Stallings and McCarty voted yea):

(O-94-45) INTRODUCED, TO ADOPTED FEBRUARY 22, 1994

Introduction of an Ordinance amending Chapter VI, Article 3, of the San Diego Municipal Code by amending Section 63.08, relating to Possession of Firearms and Other Devices in Parks and Open Space Areas, to include a prohibition of war games using laserscope-equipped devices.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO INTRODUCE ORDINANCE. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100:

SUBJECT: Awarding a Contract for Police Sedan "Pastel" Vehicles.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1014) ADOPTED AS RESOLUTION R-283306

Awarding a contract to Courtesy Chevrolet (San Diego) for fifteen Police Sedan "Pastel" Vehicles (1994 Chevrolet Corsica), for a total cost of \$154,175.63, including tax, and trade in allowance of \$21,834. Authorizing the expenditure of not to exceed \$154,175.63 from Fund No. 100, Department No. 110, Organization Nos. 200, 394, 495, Object Account No. 6010, and Job Order Nos. 111475, 111440, and 111467; Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-C4107/94)

Aud. Cert. 9400698.

FILE LOCATION: CONT-PURCHASE-Courtesy Chevrolet (San Diego)

CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101:

SUBJECT: Awarding Contracts for Miscellaneous Police Vehicles.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1015) ADOPTED AS RESOLUTION R-283307

Awarding contracts to Bob Baker Chevrolet/GEO (San Diego), Bob Baker Ford (San Diego), Kearny Mesa Ford (San Diego), Peck Jeep/Eagle Inc. (San Diego), Westcott Mazda (San Diego), Coast Nissan (San Diego), and Trevellyan Oldsmobile Company (San Diego) for miscellaneous Police Vehicles for a total cost of \$665,481.25, including tax; In the event the contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsive and responsible bidder and to subsequent bidders, until a bidder is found who performs to specifications; Authorizing the expenditure of not to exceed \$665,481.25 from Fund Nos. 100, 10118, Department Nos. 110, 10118, Organization Nos. 393, 200, 106, Object Account No. 6010, and Job Order Nos. 111440, 111475, 101186 for providing funds for said project and related costs; Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any to the appropriate reserves. (BID-C4109/94)

Aud. Cert. 9400695.

FILE LOCATION: CONT-PURCHASE-Bob Baker Chevrolet/GEO (San Diego), Bob Baker Ford (San Diego), Kearny Mesa Ford (San Diego), Peck Jeep/Eagle Inc. (San Diego), Westcott Mazda (San Diego), Coast Nissan (San Diego), and Trevellyan Oldsmobile Company (San Diego) CONT FY94-7

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102:

SUBJECT: Awarding a contract for Miscellaneous Fire Support
Vehicles.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1017) ADOPTED AS RESOLUTION R-283308

Awarding a contract to Bob Baker Ford (San Diego) for
miscellaneous Fire Support Vehicles, three Sedans (1994 Ford
Taurus with Police Package) for a total cost of \$47,647.05,
including tax; Authorizing the expenditure of not to exceed
\$47,647.05 from Fund/Dept No. 120, Object Account No. 6010,
and Job Order No. 5100 for providing funds for said project
and related costs; Authorizing the Auditor and Comptroller,
upon advice from the administering department, to transfer
excess budgeted funds, if any, to the appropriate reserves.
(BID-C4108/94)

Aud. Cert. 9400700.

FILE LOCATION: CONT-PURCHASE-Bob Baker Ford (San Diego)
CONTFY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103:

SUBJECT: Awarding Contracts for Will Call Service for
Parts/Supplies relating to Heating and Ventilating.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1012) ADOPTED AS RESOLUTION R-283309

Awarding contracts to Air Cold Supply (Los Angeles), Allied Refrigeration, Inc. (Los Angeles), Appliance Parts Center (San Diego), Burke Engineering (San Diego), Chick's Electric Service (San Diego), George T. Hall Company, Inc. (San Diego), Johnson Controls, Inc. (Dallas, Texas Headquarters, San Diego Office), Johnstone Supply (San Diego), and Refrigeration Supplies Distributor (San Diego), for will call service for the purchase of parts and supplies relating to heating, ventilating, air conditioning, refrigeration and appliances, as may be required for a period of one year beginning February 1, 1994 through January 31, 1995, for a total estimated cost of \$50,000, including tax and terms. (BID-Q4120/94)

FILE LOCATION: CONT PURCHASE-Air Cold Supply (Los Angeles), Allied Refrigeration, Inc. (Los Angeles), Appliance Parts Center (San Diego), Burke Engineering (San Diego), Chick's Electric Service (San Diego), George T. Hall Company, Inc. (San Diego), Johnson Controls, Inc. (Dallas, Texas Headquarters, San Diego Office), Johnstone Supply (San Diego), and Refrigeration Supplies Distributor (San Diego) CONT FY94-9

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104:

SUBJECT: Contracts for Miscellaneous Electrical Components, Maintenance Materials and Fixtures.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-695) ADOPTED AS RESOLUTION R-283310

Awarding contracts for miscellaneous electrical components, maintenance materials and fixtures, for an estimated cost of \$359,968, including tax and terms, as may be required for a period of one year beginning December 1, 1993 through November 30, 1994, with options to renew the contract for four additional one year periods, as follows: 1. San Diego Wholesale Electric (San Diego) for Sections I, II and XI.2. Summers Group, dba ESD Company, (San Diego) for Sections III, IV, V, VI, VII, VIII, IX and X. In the event the vendors do not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award to the next low responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications. (BID-I4009/94)

FILE LOCATION: CONT-PURCHASE-San Diego Wholesale Electric
(San Diego); Summers Group, dba ESD Company,
(San Diego) CONT FY94-2

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105:

SUBJECT: Awarding Contracts for the Purchase of Miscellaneous
Turf Equipment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-697) ADOPTED AS RESOLUTION R-283311

Awarding contracts to San Diego Turf (San Diego), Jaeschke, Inc. (San Diego) and E. Z. Equipment (San Diego) for the purchase of miscellaneous turf equipment for an estimated cost of \$85,804.66, including tax; Authorizing the expenditure of not to exceed \$85,804.66 from Fund No. 100, Department No. 443, Organization No. 650/750, Object Account No. 6010, and Job Order Nos. 044365/044375, for providing funds for said project and related costs; Authorizing the

Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P4032/94)

Aud. Cert. 9400672.

FILE LOCATION: CONT-PURCHASE-San Diego Turf (San Diego),
Jaeschke, Inc. (San Diego) and E. Z.
Equipment (San Diego) CONT FY94-3

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106:

SUBJECT: Awarding Contracts for Automotive Belts, Hoses, Fuses,
Spark Plugs, Miniature Lamps, Lights, Radiators Caps,
Gas Caps and Hose Clamps.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1011) ADOPTED AS RESOLUTION R-283312

Awarding contracts to Genuine Parts Company (San Diego),
Pacific Supply Company (Orange County), Charles W. Carter
(Los Angeles), and T.C. Distributing (San Diego), for the
purchase of automotive belts, hoses, fuses, spark plugs,
miniature lamps, sealed beam lamps, radiator caps, fuel and
oil caps, and hose clamps, as may be required for a period
of one year beginning January 1, 1994 through December 31,
1994, for a total estimated cost of \$50,000, including tax.
(BID-C4104/94)

FILE LOCATION: CONT-PURCHASE-Genuine Parts Company (San
Diego), Pacific Supply Company (Orange
County), Charles W. Carter (Los Angeles),
and T.C. Distributing (San Diego) CONT
FY94-4

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-107:

SUBJECT: Awarding a Contract for the Lease of a Heavy Duty Wheel
Tractor Scraper.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-700) ADOPTED AS RESOLUTION R-283313

Awarding a contract to Hawthorne Machinery Company (San
Diego), for the lease of a heavy duty wheel tractor scraper,
as may be required for a period of one year beginning
approximately February 1, 1994 through January 31, 1995, for
a total estimated cost of \$2,553,675, including tax, with
options to renew for four additional one year periods, and
an option to lease up to five additional scrapers.
(BID-B4087/94)

FILE LOCATION: CONT - PURCHASE- Hawthorne Machinery Company
(San Diego) CONT FY94-1

COUNCIL ACTION: (Tape location: D300-324.)

MOTION BY STEVENS TO ADOPT. Second by Vargas. Passed by
the following vote: Mathis-yea, Roberts-yea, Kehoe-yea,
Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-108:

SUBJECT: Awarding a Contract for the Lease of a Wheel Loader for
Fiesta Island.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-699) ADOPTED AS RESOLUTION R-283314

Awarding a contract to DeNardi Equipment Company, Inc., (San Diego), for the lease of one wheel loader for Fiesta Island, as may be required for a period of one year beginning January 1, 1994 through December 31, 1994, for a total estimated cost of \$58,185, including tax, with options to renew the contract for four additional one year periods. (BID-B4069/94)

FILE LOCATION: CONT-PURCHASE-DeNardi Equipment Company, Inc.
(San Diego) CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-109: TRAILED TO TUESDAY, FEBRUARY 1, 1994

SUBJECT: Awarding a Contract for Resurfacing Various City Streets Group "C".

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-983)

Awarding a contract to Daley Corporation (San Diego) and California Commercial Asphalt Corporation, a joint venture, for Resurfacing Various City Streets Group "C" - FY93; Authorizing the expenditure of \$406,484.40 from Gas Tax Fund No. 302191, to supplement the original funded amount of \$5,975,000 for said project and related costs. (BID-K94056)

CITY MANAGER SUPPORTING INFORMATION:

On October 25, 1993 the Council approved the invitation for bids for the annual street maintenance program of asphalt resurfacing of City streets. The bids for "Resurfacing of Various City Streets Group-C, Bid No. K-94056" were opened on December 7, 1993. The lowest bid exceeded the estimate by five percent. Staff feels that this was due to the new specifications for resurfacing projects. The changes to the specifications were made to address the failure of the asphalt resurfacing work done

on FY1990. The new specifications increase the quality assurances, and places more control of the project with the City. After speaking with the bidders it was confirmed that they estimated their costs would increase more with these new specifications than staff had originally estimated. Staff feels that the bids reflect a reasonable assessment of the costs to provide improved materials, and a higher level of workmanship. Staff finds that the bidding was fair and competitive, and that re-bidding would not result in a lower price. Due to the benefit to the citizens of San Diego by the proper maintenance of the City street system, we ask for Council approval to increase the amount of this contract. The needed funds are available in the FY1994 Gas Tax resurfacing allocation. We also ask permission to award this contract to the lowest bidder so we can start the repair and improvement of the streets included in this contract. Aud. Cert. 9400374 Rev.

FILE LOCATION: NONE.

COUNCIL ACTION: (Tape location: C285-611.)

Motion by McCarty to adopt. No second. Item trailed for further information and discussion.

* ITEM-110:

SUBJECT: Two actions related to Renovation of the Climax Water Pump Plant.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-730) ADOPTED AS RESOLUTION R-283315

Inviting bids for the Renovation of the Climax Water Pump Plant on Work Order No. 181371; Authorizing a contract with the lowest responsible bidder; Authorizing the Auditor and Comptroller to transfer \$229,846 within Water Revenue Fund 41500 from CIP-73-263.0, Annual Allocation - Water Pump Station Restorations to CIP-73-266.0, Climax Water Pump Station; Authorizing the expenditure of not to exceed \$531,182 from Water Revenue Fund 41502, CIP-73-266.0; Authorizing the Auditor and Comptroller, upon advice from

the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94085)

Subitem-B: (R-94-981) ADOPTED AS RESOLUTION R-283316

Authorizing the use of City Forces to modify pumping operations involving renovation of Climax Water Pump Plant; declaring that the cost of the work shall not exceed \$13,000.

CITY MANAGER SUPPORTING INFORMATION:

The Climax Water Pump Plant currently houses four pumps in an underground vault. The pump station was built in 1963 to serve approximately 600 homes. Today it serves over 2,100 homes. The rehabilitation of this Pump Station would involve increasing the pumps' capacity with the installation of new pumps and improving the efficiency of the plant such as upgrading the transformer and electrical control panels. This rehabilitation will increase the station's long term usefulness and meet the increasing demands in this area.

Aud. Cert. 9400437.

WU-P-94-031.

FILE LOCATION: W.O. 181371 CONT-SCW Contracting Corp. CONT
FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-111: TRAILED TO TUESDAY, FEBRUARY 1, 1994

SUBJECT: Inviting Bids for the Installation of Street Lights and
Street Trees on Park Boulevard and Adams Avenue.

(Uptown Community Area. Districts-2 and 3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-982)

Inviting bids for the Installation of Street Lights and Street Trees on Park Boulevard and Adams Avenue on Work Order No. 112238; Authorizing the execution of a contract with the lowest responsible bidder; Authorizing the expenditure of not to exceed \$266,760 from CDBG Fund No. 18528 and \$246,000 from CIP-392080, University Heights Commercial Revitalization, Fund 30302, FY 1994 TransNet Bond, totalling \$512,760; Authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K94086)

CITY MANAGER SUPPORTING INFORMATION:

This project is a continuation of phased public improvements along Park Boulevard and Adams Avenue in the University Heights community. It consists of the installation of streetlights and street trees. The Landscape and Lighting District was expanded and approved in July, 1993 to include this additional project area.

Aud. Cert. 9400493.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: D114-298.)

Motion by Kehoe to approve the authorization to invite bids for the installation of street lights and street trees on Park Boulevard and Adams Avenue and amend the contract to include the addition of street lights installed to be high-pressure, shielded sodium lights. Second by Stevens. No vote. Item trailed for further information and discussion.

* ITEM-112:

SUBJECT: Vacating the Excess Portion of Outer Road, between Coronado Avenue and Outer Road.

(Otay Mesa-Nestor Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-929) ADOPTED AS RESOLUTION R-283317

Vacating the excess portion of Outer Road, between Coronado Avenue and Outer Road.

CITY MANAGER SUPPORTING INFORMATION:

The proposed vacation has been requested by the adjacent property owner in order to consolidate the unimproved right-of-way with his property. The subject right-of-way may be considered excess due to the realignment of Outer Road which occurred when the Coronado Avenue/Interstate 5 interchange was constructed. The subject vacation is located in an R-3000 zone and totals approximately 9,760 square feet (0.224 acres) in area. The reversion of acreage would provide additional development entitlements, as allowed by the R-3000 zone. However, no development is proposed for this site at this time. The Otay Mesa-Nestor Community Planning Group and the Planning Department have no objections to this vacation. The area proposed for vacation is unimproved but does contain utilities for which easements will be reserved. The right-of-way is not needed for access or traffic circulation since it has been superseded by relocation.

FINDINGS: Staff review has indicated that the vacation is consistent with the General Plan, the community plan, and Council Policy 600-15 and may be summarily vacated. The right-of-way is not required for present or prospective public use, and the facilities for which it was originally acquired will not be detrimentally affected. The public will benefit from the vacation through improved utilization of the land and relieving the City of maintenance and liability responsibilities.

FILE LOCATION: STRT J-2800; DEED F-6220 DEED FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113:

SUBJECT: Acquisition of property located at 415 Euclid Avenue.

(Valencia Park Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1049) ADOPTED AS RESOLUTION R-283318

Approving the acceptance by the City Manager of a grant deed of Flagship Federal Savings Bank conveying to the City Lots A, B, C, D and E in Block 19 of Las Alturas No. 5, Map-2053, being an improved property located at 415 Euclid Avenue; Authorizing the expenditure of an amount not to exceed \$283,000 from 1994 CDBG Fund 18529, for the acquisition of the above described real property; Authorizing the City Manager to execute an easement deed conveying the right of ingress and egress to James C. and Barbara G. Ruane, and accept from James C. and Barbara G. Ruane an easement deed conveying to the City the right of ingress and egress over and across each party's respective interest in the alley vacated and closed to public use by Resolution R-255343, recorded December 10, 1981.

CITY MANAGER SUPPORTING INFORMATION:

Authorizing the expenditure of previously approved CDBG funds will provide for City acquisition of a one-story, 7,108 square foot commercial building with off-street parking, located at 415 Euclid Avenue in the community of Valencia Park. The CDBG funds were approved as part of the block grant process on May 24, 1993, allocated for Council District 4 and approved for acquisition of the former Social Security Administration building for a Community Resource Center. Additionally, it is proposed to exchange easements with the adjacent property owners. The exchange will authorize ingress and egress over and across each parties respective interest in the valley vacated by Resolution R-255343, December 10, 1981.

Aud. Cert. 9400690.

FILE LOCATION: DEED F-6221 DEED FY94-2

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114:

SUBJECT: Manny Rodriguez Day.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1063) ADOPTED AS RESOLUTION R-283319

Proclaiming Wednesday, January 19, 1994 to be "Manny Rodriguez Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-115:

SUBJECT: Odell and Juanita Johnson Day.

DEPUTY MAYOR STEVENS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1055) ADOPTED AS RESOLUTION R-283320

Commending Odell and Juanita Johnson for their commitment
and devotion to their community; Proclaiming January 22,
1994 to be "Odell and Juanita Johnson Day" in the City of
San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

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* ITEM-116:

SUBJECT: Excusing Councilmember Roberts from attending the morning portion of the Council Meeting of January 11, 1994.

COUNCILMEMBER ROBERTS' RECOMMENDATION:

Adopt the following resolution:

(R-94-1042) ADOPTED AS RESOLUTION R-283321

Excusing Councilmember Ron Roberts from attending the morning portion of the Council meeting of January 11, 1994, due to City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117:

SUBJECT: Four actions related to Suggestion Awards.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions authorizing Suggestion Awards to City Employees:

Subitem-A: (R-94-1009) ADOPTED AS RESOLUTION R-283322

Lyall Beggs - Auditor's - \$289.99

Subitem-B: (R-94-1010) ADOPTED AS RESOLUTION R-283323
Kirk A. Laughead - Auditor's - \$69.84

Subitem-C: (R-94-1021) ADOPTED AS RESOLUTION R-283324

Jack A. Salfen - Water Utilities - \$90.00

Subitem-D: (R-94-1022) ADOPTED AS RESOLUTION R-283325

Jack A. Salfen - Water Utilities - \$320.00

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-118:

SUBJECT: Escheatment of Unclaimed Money.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1054) ADOPTED AS RESOLUTION R-283326

Authorizing the escheatment from Trust Fund No. 63007 to the General Fund No. 100, of unclaimed monies in the amount of \$1,971.88 representing street bond installments and redemption funds received from property owners but not paid out to bondholders due to non-presentation of coupons.

CITY MANAGER SUPPORTING INFORMATION:

Section 6446 of the California Streets and Highways Code states that bonds issued under the 1911 Improvement Act represent a lien until the assessments are fully paid; the lien will not continue more than four years beyond the due date of the last principal or interest payment. Section 50050 through 50055 of the California Government Code prescribes procedures for the escheatment of monies which are held but are not the property of local agencies if those monies go unclaimed for three or more years. A review has been made of all monies being held in Trust Fund 63007, Street Bond Installments and Redemptions, and those monies that meet the two age criteria described above have been identified. Individual items with a value of more than \$10 have been published in a newspaper of general circulation, "The San Diego Union," on 10/19/93 and 10/26/93 as required by the Government Code, Section 50050. The total value of these items is \$1,950.91. Items with a value under \$10 totalling \$20.97 have also been identified but do not have to be advertised. Section 50053 states that when any such money becomes the property of a local agency and is in a special fund, the legislative body may

transfer it to the General Fund. It is, therefore, requested that a total of \$1,971.88 be escheated from Trust Fund 63007 to General Fund 100.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119:

SUBJECT: Authorizing Payment in Lieu of Lost Registered 1915 Act Limited Obligation Improvement Bond.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1041) ADOPTED AS RESOLUTION R-283327

Authorizing payment of principal and premium on a lost registered bond for City of San Diego 1915 Act Limited Obligation Bond, Certificate Number V113, Calle Cristobal Assessment District No. 4013, Bond Series 3668, Par Value \$5,000 called for early maturity on September 2, 1993, which has been lost, destroyed, or wrongfully taken.

CITY MANAGER SUPPORTING INFORMATION:

The City Treasurer's Department has been notified that registered bond for Calle Cristobal Assessment District No. 4013, Bond Series 3668, Bond Number V113, in the amount of \$5,000, called for early maturity on 9/2/93, has not been located by the bondholder and that the bond cannot be presented for payment as required. In order to make payment for the lost bond and call premium, the City Council must authorize such payment. A Lost Instrument Bond for twice the face value of the bond and premium has been received, indemnifying the City against possible loss due to such action. A letter of loss signed by the bondholder with signature guaranteed has been received.

FILE LOCATION: STRT-D2258

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120:

SUBJECT: Second Annual State of the City Address.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1074) ADOPTED AS RESOLUTION R-283328

Waiving the provisions of Council Policy 100-2 to allow receipt of donations for the Annual State of the City Address on January 13, 1994; Authorizing the Auditor and Comptroller to establish a special fund to record all revenues and expenditures of the event and thereafter deposit any excess donations in the General Fund; Authorizing the City Manager to execute all contracts necessary regarding the event, the contracts to be funded to the extent of monies donated and received by the Auditor and Comptroller; Approving the proposed budget for the event on January 13, 1994.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121:

SUBJECT: Settlement of Condemnation Proceedings - State Route
56/Carmel Valley Restoration Enhancement Plan.

(Carmel Valley Community Area. District-1.)

CITY COUNCIL'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1047) ADOPTED AS RESOLUTION R-283329

A Resolution approved by the City Council in Closed Session on Tuesday, August 3, 1993 by the following vote: Wolfsheimer-not present; Roberts-yea; Hartley-yea; Stevens-yea; Behr-not present; Stallings-yea; McCarty-yea; Vargas-yea; Mayor-yea. Authorizing the Auditor and Comptroller to increase CIP-52-356.0, State Route 56 - Property Acquisition and Floodway Construction, by the amount of \$300,000; and transfer the sum of \$300,000 from Fund 790022, Carmel Valley - SANDAG Advance, to CIP-52-356.0, State Route 56 - Property Acquisition and Floodway Construction; Authorizing the City Manager to pay the total sum of \$300,000 from CIP-52-356.0, State Route 56 - Property Acquisition and Floodway Construction in the settlement of condemnation proceedings entitled "The City of San Diego v. Alice C. Tang, et al," Superior Court Case No. 647300; declaring that this payment and conveyance, and the prior payment of \$525,000 to Alice C. Tang, pursuant to Resolution R-279180, making a total payment of \$825,000 shall be a complete settlement of all damages, interest, costs and fees of any type, including attorney's fees in the above litigation; Authorizing the City Auditor and Comptroller to issue one check in the amount of \$300,000 made payable to McDougal and Associates Client Trust Fund Account from CIP-52-356.0, State Route 56 - Property Acquisition and Floodway Construction.

Aud. Cert. 9400703.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY MCCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122:

SUBJECT: California Trade and Commerce Agency Defense Adjustment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1115 Cor.Copy) ADOPTED AS RESOLUTION R-283330

Authorizing the City Manager to apply for, and if selected, expend and administer a grant from the California Trade and Commerce Agency in the amount of \$100,000, to provide for a defense conversion seed capital fund; Designating the Director of Economic Development as the grant administrator.

CITY MANAGER SUPPORTING INFORMATION:

The City has been invited by the California Trade and Commerce Agency to apply for a grant from the California Defense Adjustment Matching Grant Program. The grant will be combined with a \$1 million grant from the Economic Development Administration to provide for a defense conversion seed capital fund. It is recommended that the Director of Economic Development Services be designated to administer the grant.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123:

SUBJECT: Consultant Agreement - Downtown Lease Audit Services.

(Centre City Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1056) ADOPTED AS RESOLUTION R-283331

Authorizing the execution of an agreement with Lease Audit Associates, for lease audit services for various office space leases;

Authorizing the Auditor and Comptroller to appropriate 50 percent of monies received by the City, directly related to

Lease Audit Associates auditing efforts, to be paid to Lease Audit Associates;

Authorizing the Auditor and Comptroller to pay to Lease Audit Associates 50 percent of the monetary value of economic benefits received by the City, other than direct cash recovery, from funds previously appropriated by the City Council.

CITY MANAGER SUPPORTING INFORMATION:

The Office Space Project, adopted by Council in 1991 to save \$18-22 million in future office space expense, has completed over two-thirds of the downtown office consolidation. With over 400,000 sq.ft. of leased space involved, the office leases represent a substantial City investment in rent costs. It is felt that these leases should be analyzed for accuracy of the amount of space leased and operating expense pass through costs. Such an analysis would include highly specialized space measurement, possible recovery negotiations and legal representation, if necessary. Since the City does not have the staff or the technical skill to devote to a project of this type, a Request for Proposal (RFP) was issued in accordance with City policy. Four proposals were received. The firm of Lease Audit Associates of La Jolla was selected having submitted the most responsive proposal based primarily on services offered and proven experience. The agreement negotiated with Lease Audit Associates will authorize the firm to review several leases in two downtown office buildings on a trial basis. The services that will be provided by the consultant include: 1) measuring actual areas leased; 2) reviewing records pertaining to pass-through expenses; 3) examining the accuracy of rent payments; 4) acting as the City's representative in negotiating/securing recovery of sums due to the City; and 5) providing legal assistance, if necessary, in connection with the recovery efforts. All aspects of the recovery process will only be conducted upon and in accordance with direction by the City. If the City is satisfied with the results of the trial lease audit, other office buildings could be added to the scope of the contract by mutual agreement. The term of the agreement is one year, with options to extend the agreement for up to four consecutive six month periods.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,

McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-124:

SUBJECT: Agreement with the San Diego County Water Authority for
Water Storage at San Vicente Reservoir.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1030) ADOPTED AS RESOLUTION R-283332

Authorizing an agreement with the San Diego County Water
Authority for joint use of facilities in connection with the
storage and use of water at San Vicente Reservoir.

CITY MANAGER SUPPORTING INFORMATION:

For approximately 45 years, the City of San Diego and the San Diego County Water Authority have maintained an agreement for storage of water in San Vicente Reservoir. This agreement has been generally for periods of five years. The most current agreement terminated on October 31, 1993. The proposed new agreement is to extend the period of the present arrangement until October 31, 1995. The San Diego County Water Authority (CWA) may therefore continue to store up to 40,000 acre-feet of water in San Vicente Reservoir to the extent that there is unoccupied storage capacity. If agreed to in writing by the San Diego City Manager and the San Diego County Water Authority General Manager, an additional 20,000 acre-feet of water owned by the Authority or the Metropolitan Water District, may be stored in other City-owned reservoirs. Water so stored by the Authority will be subject to and reduced by evaporation losses. CWA also agrees to pay the City annually \$2.20 per acre-foot of water for the maximum quantity of water stored in the reservoir at any given time in each year of the agreement. In addition, CWA will credit to the City \$4.00 per acre-foot when, at their request, water is transferred to the City from their storage instead of delivered from the aqueduct. This credit is to offset the City's additional power costs of pumping incurred by reason of such delivery from the reservoir and may be adjusted by the City once per calendar year to reflect changes in electric rates.
WU-WP-94-092.

FILE LOCATION: WATER-San Diego County Water Authority; San
Vincente Reservoir CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125:

SUBJECT: Ultra-Low Flush Toilet Rebate Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1044) ADOPTED AS RESOLUTION R-283333

Authorizing the City Manager to continue the City of San Diego's Ultra-Low Flush Toilet Rebate Program ("Rebate Program"); Authorizing the City Manager to amend the Memorandum of Understanding between the City of San Diego and the San Diego County Water Authority (CWA), for the receipt of \$2,297,300 from the CWA and Metropolitan Water District of Southern California (MWD) to be used to pay for two-thirds of the Rebate Program costs for approximately 33,000 ultra-low flush toilet rebates; Authorizing the Auditor and Comptroller to increase the annual appropriation in the Water Utilities Operating Fund 41500, Program 70622, by \$2,297,300 for the Rebate Program; Authorizing the City Manager to expend not to exceed \$3,297,300 from the Water Utilities Operating Fund 41500, Water Conservation Program, for the sole and exclusive purpose of operating the Rebate Program in Fiscal Year 1994.

CITY MANAGER SUPPORTING INFORMATION:

This action requests the continued funding of the City of San Diego's Ultra-Low Flush Toilet Rebate Program (Rebate Program). It amends an existing agreement with the San Diego County Water Authority (CWA) which provides matching funding from the CWA and the Metropolitan Water District (MWD) of Southern California for nearly 33,000 rebates. This voluntary water conservation program provides City residents with a rebate of up to \$75 for each installed ultra-low flush toilet (ulft) bought on or after April 9, 1991. Since May of 1991, the City of San Diego (City) has participated in the regional Rebate Program managed by the CWA. Between May of 1991 and February 1993, the Rebate Program issued more than 30,000 rebates to water customers of the City's Water

Utilities Department. Co-funding from the CWA was exhausted in February of 1993, but FY 93 Rebate Program funding was available within the Water Utilities Department budget and from the MWD. In order to continue providing rebates to residents, the City decided to design and manage its own program that would provide a higher level of customer service to program participants. On August 9, 1993, the City Council approved the remaining FY 93 funding for an estimated 14,000 rebates to be distributed to water customers of the City's Water Utilities Department. The Rebate Program office opened on September 13, 1993, with a backlog of applications for approximately 9,000 rebates that were received since February of 1993 when the program went into hiatus. The oldest applications were processed first. Due to the widespread popularity of this program, the backlog of applications, and the cost effectiveness of the City's Rebate Program, over 16,000 rebates were issued by October 26, 1993, and the FY 93 funding was exhausted. Between May of 1991 and November of 1993, the City has received co-funding from the CWA and the MWD for approximately 51 percent of the Rebate Program costs. In FY 94, additional co-funding for nearly 70 percent of the Rebate Program costs is available from the CWA and the MWD. This action will allow the City to take advantage of the co-funding available and continue this popular program.

Aud. Cert. 9400688.

WU-S-94-087.

FILE LOCATION: WATER-Ultra-Low Flush Toilet Rebate
Program CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126:

SUBJECT: Agreement with the San Dieguito River Valley Regional
Open Space Park Joint Powers Authority for the Piedras
Pintadas Project.

(Rancho Bernardo/Lake Hodges Community Areas.
District-5.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-838) ADOPTED AS RESOLUTION R-283334

Authorizing the execution of an agreement with the San Dieguito River Valley Regional Open Space Park Joint Powers Authority (JPA), to designate the Joint Powers Authority, an agent of the City, to perform the grant eligible Piedras Pintadas Project; Amending the Fiscal Year 1994 CIP budget by adding CIP-70-923.0, Piedras Pintadas Project, and allocating the following revenue sources and amounts to this project: California Department of Park and Recreation Grant in the amount of \$221,428 and San Dieguito River Valley Trust Fund No. 10593 in the amount of \$224,801; Authorizing the expenditure of an amount not to exceed \$246,250 of the California Department of Park and Recreation Grant No.PR-37-003, with \$221,428 expended from CIP-70-923.0, Piedras Pintadas Project; Authorizing the expenditure of not to exceed \$250,000 from San Dieguito River Valley Trust Fund No. 10593 as local matching funds required for Grant PR-37-003, with \$224,801 expended from CIP-70-923.0, Piedras Pintadas Project.

CITY MANAGER SUPPORTING INFORMATION:

In 1991, the City was awarded a \$250,000 grant from the State of California Department of Parks and Recreation for the preservation and protection of the Piedras Pintadas (Painted Rocks) site in the San Dieguito River Valley Open Space Park. The site is of important cultural significance to Native Americans and natural history. Initially it was assumed that Water Utilities would provide the required \$250,000 in grant match, and therefore was the grant applicant and recipient. Thereafter, it was determined that Water Utilities money could not legally be used for this grant match, and in the alternative, \$250,000 was identified in the San Dieguito River Valley trust fund for this purpose. It was then decided that the JPA should administer the grant funded project due to its local concern and because the JPA has already been working on the project concept with the Native American and Rancho Bernardo communities. The legislation which provides for the grant does not allow the grant to be transferred directly to the JPA. Thus, this agreement appoints the JPA as agent for the City to execute the grant project, although all fund disbursements and grant payment requests will still be handled by the City. Future City Council approval of the project will be required once design is provided through the JPA.

Aud. Cert. 9400566.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127:

SUBJECT: Third Amendment to the Agreement with the Regents of
the University of California for Agronomic Study of the
Effects of the Use of Reclaimed Water.

(See City Manager Report CMR-94-18.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1108) ADOPTED AS RESOLUTION R-283335

Authorizing a third amendment to the agreement with the
Regents of the University of California for additional Phase
II studies involving the use of reclaimed water on turf
grass and landscape plants within San Diego County;
Authorizing the transfer of not to exceed \$232,150 within
Water Revenue Fund 41500, from CIP-73-255.0, Mission Valley
Reclamation Facility, to CIP-75-910.1, Agronomic Study;
Authorizing the expenditure of not to exceed \$236,223 from
Water Revenue Fund 41500, CIP-75-910.1, Agronomic Study.

Aud. Cert. 9400708.

WU-CWP-93-164.

FILE LOCATION: WATER-Regents of the University of
California Use of Reclaimed Water CONT
FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128:

SUBJECT: First Amendment to the Agreement for Construction of
Sherman Heights Community Center.

(Sherman Heights Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1029) ADOPTED AS RESOLUTION R-283336

Authorizing a first amendment to the agreement with Sherman Heights Community Center Corporation for construction of Sherman Heights Community Center, located at 2258 Island Avenue; Authorizing the expenditure of not to exceed \$150,000 from CDBG Fund 18529, Dept. 4042, Org. 4216, JO 119150, for providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION:

On December 8, 1992, an agreement for the construction of the Sherman Heights Community Center was approved by City Council on Resolution R-281236-2. Through 1991 and 1992 C.D.B.G. funding, the Sherman Heights Community Center Corporation was granted a total of \$1,992,500 to design and construct the community center: \$98,000 to complete the design; \$1,711,000 for construction; and \$183,500 for City administration costs.

The community center is now in the construction phase; and, due to inflation, the original funding is insufficient to complete the project. This action will provide an additional \$150,000 to the construction portion of the project to allow for the construction of the two remaining classrooms, and the ceramic tile benches. On May 24, 1993, City Council adopted Resolution R-282036 granting Sherman Heights Community Center Corporation the \$150,000 of additional C.D.B.G. funding to complete this project.

Aud. Cert. 9400647.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-129:

SUBJECT: Agreement with the Union of Pan Asian Communities for
the Multi-Cultural Economic Development Project.

(Districts-2,3,4,5,7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1054) ADOPTED AS RESOLUTION R-283337

Authorizing an agreement with the Union of Pan Asian
Communities, for the Multi-Cultural Economic Development
Project; Authorizing the expenditure of not to exceed
\$147,400 from Fund 18529, Dept. 4047, Org. 4703.

CITY MANAGER SUPPORTING INFORMATION:

The City Council, in the 1993-94 Community Development Block
Grant (CDBG) appropriation cycle, approved \$151,000 for the Union
of Pan Asian Communities multi-cultural economic development
activities in low and moderate income areas of the City. Major
activities include the following: - To establish an Ethnic
Business Outreach Program. -To develop and conduct Culturally
Competent Small Business Workshops.- To create a Business
Development Program to provide technical assistance.- To
promote State and Federal Enterprise Zones.

Aud. Cert. 9400705.

FILE LOCATION: MEET CONT FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-130:

SUBJECT: First Amendment to the Lease Agreement with Dixieline Lumber.

(Midway Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-950) ADOPTED AS RESOLUTION R-283339

Authorizing a first amendment to the lease agreement with Dixieline Lumber, providing a maximum rent credit of \$18,000, being 50 percent of construction costs for sidewalk, curb and gutter improvements on Kurtz Street, in connection with the lease premises located at 3250 Sports Arena Boulevard.

CITY MANAGER SUPPORTING INFORMATION:

Dixieline Lumber leased approximately 3.8 acres of land in the Sports Arena area from the City's predecessor in interest, Union Oil Company. The lease contained errors in the legal description. Dixieline built improvements with the City's approval, relying on that description, and in doing so, encroached onto the public right-of-way on Kurtz Street at the rear of the parcel, leaving insufficient room for a sidewalk. Pedestrians had to step into the street to walk around the buildings, and one was hit by a car a couple of years ago and sued the lessee and the City. The City and lessee were found not liable. The driver paid damages. Requiring the lessee to remove the encroachment would be expensive and would likely result in litigation and related costs. To protect public safety and reduce potential liability, negotiation by staff of the Property Department, Streets Division and City Attorney's office with the lessee resulted in a plan to have the lessee construct a 4.5 ft. wide sidewalk and curb rather than the normal 6 ft. width. To address the safety issue as quickly as possible, staff would recommend that the City pay half the sidewalk cost estimate of \$36,000 up to a maximum of \$18,000 in the form of a rent credit to the lessee, whose monthly rent is in excess of \$23,000. An Encroachment Removal Agreement would be signed simultaneously with the lease amendment.

FILE LOCATION: LEAS-Dixieline Lumber LEAS FY94-1

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-131:

SUBJECT: Three actions related to the East Mission Gorge
Interceptor System, Contract No. 1 - Force Main Change
Orders No. 1, No. 10, and No. 29, and District Utility
Agreement No. 25628.

(Navajo Community Area. District-7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-94-917) ADOPTED AS RESOLUTION R-283340

Approving Change Order No. 1, dated November 27, 1991,
Change Order No. 10, dated November 9, 1992, and Change
Order No. 29, dated March 18, 1993, issued in connection
with the contract with PCL Civil Constructors, Inc.,
amounting to a net increase in the contract price of
\$287,800; Authorizing the transfer of \$331,000 within Sewer
Revenue Fund 41506, from CIP-46-158.0, Mission Bay Sewage
Interceptor System, to CIP-43-104.0, East Mission Gorge
Interceptor System; Authorizing the expenditure of not to
exceed \$331,000 from Sewer Revenue Fund 41506, CIP-43-104.0,
East Mission Gorge Interceptor System.

Subitem-B: (R-94-919) ADOPTED AS RESOLUTION R-283341

Authorizing a Utility Agreement with the State of
California, Department of Transportation, for construction
of the East Mission Gorge Interceptor System 48-inch force
main sewer in "Alternate Alignment"; Authorizing the City
Auditor to accept the amount of \$225,000 from the State of
California, Department of Transportation, as reimbursement
for the additional cost to design and construct the force
main in the "Alternate Alignment."

Subitem-C: (R-94-918) ADOPTED AS RESOLUTION R-283342

Stating for the record that the information contained in
environmental Impact Report, Findings and Statement of

Overriding Considerations DEP-88-0089, has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION:

Council Resolution R-278493, dated August 5, 1991, awarded contracts for construction of the East Mission Gorge Interceptor System consisting of a Sewage Pump Station and 42,000 feet of 48-inch force main to provide additional capacity to supplement the gravity sewer. The project was substantially completed on December 28, 1992, prior to the EPA and City agreed upon deadline of December 31, 1992. During heavy rains in January, the flow equalization ponds could not accommodate the peak flows, and the pump station and force main were placed into service with over 20 million gallons of wastewater pumped which may have spilled into the San Diego River. During design of the project, the California Department of Transportation (CalTrans) determined that a section of the force main was designed within the proposed alignment of SR-52. CalTrans agreed to reimburse the City Water Utilities Department for additional costs of design and construction associated with placing the force main in the "Alternate Alignment" of Mission Gorge Road. Total costs are \$225,000, which includes \$18,300 for engineering service, \$194,170 for added construction costs, and City overhead and administration costs. Change Order No. 1 was negotiated with P.C.L. Civil Constructors, Inc., after award of contract to substitute PVC T-Lock protective lining in the force main for a cost savings to the City of \$210,200. Change Order No. 10 was negotiated with the contractor to accelerate the work during the period of July through November 1992 in order to meet the EPA Consent Decree deadline of December 31, 1992, and to resolve all claims associated with delay of contract award. The amount of \$380,000 is the contractor's actual expenses for labor overtime premium and efficiency losses for working up to 60 hours per week. Change Order No. 29 for the amount of \$118,000 is for extra work to protect the County Water Authority 72-inch pipeline at Jackson Drive which was found to interfere with construction of the force main.

Aud. Cert. 9400567.

WU-U-94-009.

FILE LOCATION: CONT-PCL Civil Constructors, Inc. CONT
FY94-2

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,

Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-132:

SUBJECT: Support for Tax-Exempt Bond Financing for the Salk
Institute.

(University Community Area. District-1.)

RULES COMMITTEE'S RECOMMENDATION:

On 1/10/94, RULES voted 4-0 to recommend adoption of the
following resolution (Councilmembers Roberts, Stevens,
McCarty and Mayor voted yea; Councilmember Stallings not
present):

(R-94-1003 Corr.) ADOPTED AS RESOLUTION R-283343

Approving an installment purchase financing to be undertaken
by the California Statewide Communities Development
Authority to finance a 113,000 square foot expansion to the
Salk Institute's existing facility at 10010 North Torrey
Pines Road.

CITY MANAGER SUPPORTING INFORMATION:

The Salk Institute, a prestigious local 501(c)(3) nonprofit
biomedical research institution founded in 1962, has requested
that the City hold a public hearing supporting issuance by the
California Statewide Communities Development Authority Joint
Powers Agency (the "JPA") of up to \$33 million of tax-exempt
private activity conduit revenue bonds for the purpose of
financing the East Building Project, a 113,000-square-foot
addition to its existing facility located at 10010 North Torrey
Pines Road on Torrey Pines Mesa adjacent to the UCSD campus. The
new facility will house additional laboratories, a meeting center
and scientific and administrative offices. The JPA, which will be
the Issuer, has previously issued bonds for various City-approved
projects, including recent bond issues for the San Diego State
University Foundation and the Institute for Defense Analyses.
The JPA is endorsed by the League of California Cities and the
County Supervisors' Association of California. It issues only
investment grade bonds. As with previous JPA issues, the City's
name will not appear on the bonds and there will be no further
City involvement in the transaction. By approving this financing

through JPA, the Council will be facilitating the most cost-effective expansion of the Salk Institute's facilities and activities, including the creation of an estimated 150 new jobs.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-ineligible, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-133:

SUBJECT: Marian Bear Memorial Park Natural Resource Management Plan.

(See City Manager Reports CMR-94-08 & CMR-93-315 and the Natural Resource Management Plan. Clairemont Mesa Community Area. District-6.)

PUBLIC FACILITIES AND RECREATION COMMITTEE'S RECOMMENDATION:
On 1/12/94, PF&R voted 5-0 to recommend adoption of the following resolution (Councilmembers Mathis, Kehoe, Warden, Stallings & McCarty voted yea):

(R-94-1053) ADOPTED AS RESOLUTION R-283344

Adopting the Marian Bear Memorial Park Natural Resource Management Plan, as amended, to allow more flexibility for siting a Class I Bikeway along State Route 52 from I-5 to I-805.

OTHER RECOMMENDATIONS:

City Manager's Recommendation to PF&R: Adopt the Marian Bear Memorial Park Natural Resource Management Plan as amended.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-134:

SUBJECT: Appointment to the International Affairs Board.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1076) ADOPTED AS RESOLUTION R-283345

Council confirmation of the appointment by the Mayor of Jacqueline Corey, to serve as a member of the International Affairs Board, for a term ending March 1, 1994, to replace Ann Beard, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-135:

SUBJECT: Reappointments to the Planning Commission.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1078) ADOPTED AS RESOLUTION R-283346

Council confirmation of the reappointments by the Mayor of Karen McElliot and Verna Quinn, to continue serving as members of the Planning Commission, for four-year terms ending January 28, 1998.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.

Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150:

SUBJECT: Establishing a Permanent Advisory Board for Civic Events and Promotional Programs Funded from Transient Occupancy Tax Funds.

(See Report from the City Attorney; and memorandum from the Temporary Civic Events and Promotional Programs Allocation Committee dated 12/1/93.)

(O-94-211) INTRODUCED AS AMENDED, TO BE ADOPTED FEBRUARY 22, 1994

Introduction of an Ordinance amending Chapter II, Article 6, of the San Diego Municipal Code, by adding Division 6, Sections 26.0601, 26.0602 and 26.0603, relating to Civic Events and Promotional Programs Allocation Board.

NOTE: On January 18, 1994, the Council voted 8-1 (District 7 voted nay) to direct the City Attorney to amend the above ordinance to establish a nine-member Board with the Mayor appointing the Chairperson and each Councilmember nominating one member, and to provide clarification of the appointment process. The ordinance on today's docket is presented as docketed on January 18, 1994. The City Attorney's report will address the appointment process and will explain possible actions.

PUBLIC SERVICES AND SAFETY COMMITTEE'S RECOMMENDATION:
On 12/1/93, PS&S voted 4-0 to recommend introduction of the ordinance (Councilmembers Roberts, Hartley, Stevens and Vargas voted yea; Councilmember Wolfsheimer not present).

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: B371-460.)

MOTION BY ROBERTS TO APPROVE SUBJECT TO CHANGING EACH COUNCIL MEMBERS' NOMINATION FROM THREE TO TWO. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-200:

SUBJECT: Declaring a Continued State of Emergency regarding the
Discharge of Raw Sewage from Tijuana, Mexico.

(San Ysidro and Tijuana River Valley Community Areas.
District-8.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1060) ADOPTED AS RESOLUTION R-283347

Declaring a continued State of Emergency regarding the
discharge of raw sewage from Tijuana, Mexico.

CITY MANAGER SUPPORTING INFORMATION:

For over 50 years, renegade raw sewage flows from Tijuana, Mexico have flowed across the international border in the Tijuana River into the United States. These flows have impacted the health and safety of San Diego residents. The permanent solution to this border situation is the construction of the proposed International Treatment Plant by the federal government. This plant is expected to be operational by 1998 and will treat raw sewage from Mexico. In the interim, until the international plant is constructed, the City in 1991, agreed to accept and treat 13 million gallons per day of Tijuana sewage in the Metropolitan Sewerage System. The amount of flow that the City can accept is limited due to the capacity of the emergency connection. Due to increased water availability and usage in Tijuana, raw sewage flows in the Tijuana River have increased. These flows are beyond the capacity that can be handled by the Mexican treatment system and the emergency connection. These increased flows threaten the health, safety and welfare of the citizens of San Diego. The continued declaration of emergency will enable the City to assist state and federal agencies in expediting the treatment of this international sewage. The government code requires the local governing body to review a State of Emergency every 14 days until the local emergency is declared terminated. This action requests the continuation of the State of Emergency declared by City Council on September 7, 1993(Resolution R-282544) and authorization for the City Manager to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201:

SUBJECT: Continued Treatment of Tijuana Sewage in the San Diego
Metropolitan Sewerage System.

(See City Manager Report CMR-94-17. San Ysidro and
Tijuana River Valley Community Areas. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1057) ADOPTED AS AMENDED AS RESOLUTION R-283348

Authorizing a second amendment to the memorandum of
agreement with the United States International Boundary &
Water Commission, to extend the agreement until September
30, 1994, in accordance with Council Resolution R-282255, in
connection with the use of the Tijuana emergency connection;
Authorizing the Auditor and Comptroller to accept the amount
of \$2,815,000 from the Federal Government authorized by the
U.S. Congress in Federal Fiscal Year 1994 to reimburse the
City for costs associated with the treatment of Tijuana
sewage; Authorizing the City Manager to release funds due
payable to the International Boundary & Water Commission
pursuant to the City's participation agreement for
construction of the South Bay Land Outfall and design of the
South Bay Outfall Extension, the funds having been withheld
by the City pending written assurance from the International
Boundary & Water Commission that the Federal Government will
reimburse the City for costs associated with the treatment
of Tijuana sewage. WU-CWP-94-094.

FILE LOCATION: WATER- United States International Boundary &
Water Commission, Tijuana emergency CONT
FY94-1

COUNCIL ACTION: (Tape location: B475-C101.)

MOTION BY STALLINGS TO ADOPT AS AMENDED, AS RECOMMENDED BY MAYOR GOLDING, TO REFLECT MINUS THE \$50,000 OWED TO THE CITY INSTEAD OF \$181,000, WHICH IS ALTERNATIVE 3. Second by Vargas. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202:

SUBJECT: Fourth Amendment to the Agreement with Sverdrup Corporation for Construction Management Services for the Clean Water Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1059) ADOPTED AS RESOLUTION R-283349

Authorizing the execution of a fourth amendment to the agreement with Sverdrup Corporation, for professional services in connection with construction management services for modifications and enlargement of the Clean Water Program and Metropolitan Sewage System; Authorizing the expenditure of not to exceed \$5,912,120 consisting of \$5,884,038 from Clean Water Program Fund No. 41509 and \$28,082 from Water Revenue Fund No. 41500 for this purpose; Approving the following revised funding phases for Fiscal Years 1994-1996: \$8,281,889 from Fiscal Year 1994 appropriations, based on the estimated allocation as follows:

\$	365,262	from CIP-40-910.4
\$	547,087	from CIP-45-920.0
\$	70,123	from CIP-40-910.6
\$	2,663,921	from CIP-42-910.1
\$	238,004	from CIP-46-170.0
\$	1,935,619	from CIP-40-911.5
\$	134,405	from CIP-46-122.0
\$	238,580	from CIP-46-104.0
\$	49,194	from CIP-46-120.0
\$	34,018	from CIP-46-132.0
\$	539,253	from CIP-46-129.0
\$	30,333	from CIP-46-110.0
\$	585,637	from CIP-46-177.0
\$	10,598	from CIP-46-176.0
\$	390,352	from CIP-46-117.0

\$ 319,009 from CIP-45-911.0
\$ 2,412 from CIP-45-910.1
\$ 100,000 from CIP-46-134.0
\$ 28,082 from CIP-70-910.0

\$9,558,361 from Fiscal Year 1995 appropriations, contingent on approval of the FY 1995 CIP budget; \$13,904,639 from Fiscal Year 1996 appropriations, contingent on approval of the FY 1996 CIP budget; Each succeeding authorization is to supplement the previous authorizations for the purpose of executing this agreement; Authorizing the Metropolitan Wastewater Department to revise the allocation of expenditures between the above CIP accounts based on actual expenditure requirements.

CITY MANAGER SUPPORTING INFORMATION:

In December 1991, City Council approved the agreement with Sverdrup Corporation for Construction Management Services for the Clean Water Program's North City Subsystem. In May 1992, City Council directed the implementation of the Consumers' Alternative which included the North City Subsystem and the repair and upgrade of the existing Metro and Muni Wastewater Systems. With the implementation of the Consumers' Alternative, a review of the North City Projects and the Metro Projects revealed that a number of the projects were interrelated. These Metro Projects include: Point Loma Digesters N1 and N2; Point Loma Scum Removal System; North Metro Interceptor; Penasquitos Canyon Interceptor; South Metro Interceptor; Point Loma Digester No. 7; Pump Station No. 65; Sorrento Valley Sewer; and Carmel Valley Sewer. Because of the interrelationships, close coordination of construction and start-up of the projects is required. Therefore, construction management of the Metro Projects should be accomplished in conjunction with that for the North City Projects. The revised phases reflect the addition of Metro Projects and the latest construction schedules. It is requested that Council approve Amendment No. 4 with a not-to-exceed amount of \$5,912,120 which brings the total not-to-exceed amount of the agreement to \$42,275,955. The City's MBE and WBE goals for this agreement are 12 percent and 3 percent respectively. Sverdrup Corporation has committed to the following goals: Amendment No. 4 MBE - 15.4 percent and WBE - 5.1 percent, and total Agreement MBE - 19.4 percent and WBE - 9.3 percent. Amendment No. 4 will create approximately 15 new jobs.

Aud. Cert. 9400707.

FILE LOCATION: MEET CCONT FY94-1

COUNCIL ACTION: (Tape location: C104-276.)

Motion by McCarty to adopt. Second by Stallings. No vote.

MOTION BY ROBERTS TO ADOPT. Second by Mathis. Passed by the following vote: Mathis-yea, Roberts-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203:

SUBJECT: Resolution to Support Light Rail Transit Service to the San Diego Jack Murphy Stadium Prior to the 1998 Super Bowl.

(Centre City, Midway Pacific Highway Corridor, Old San Diego, Mission Valley and Linda Vista Community Areas. Districts-2 and 6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-94-1061) ADOPTED AS RESOLUTION R-283350

Resolution to support Light Rail Transit Service (LRT) to the San Diego Jack Murphy Stadium prior to the 1998 Super Bowl.

CITY MANAGER SUPPORTING INFORMATION:

The Metropolitan Transit Development Board (MTDB) has requested that the City Council adopt a resolution supporting the timely completion of LRT service from Centre City to San Diego Jack Murphy Stadium in sufficient time for the Super Bowl in January 1998. MTDB asks that the City Council direct City staff and the San Diego Jack Murphy Stadium Authority to continue to coordinate with MTDB on the Old Town LRT project and the Mission Valley West LRT project and provide timely reviews, approvals, and right-of-way dedications for MTDB. MTDB also requests that the City Council encourage property owners and developers in Mission Valley to cooperate with MTDB on the development of the LRT project in regard to design, right-of-way dedications, acquisitions, and construction. Lastly, MTDB requests that the City of San Diego dedicate, where practical, right-of-way it owns for the purpose of constructing the future LRT.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B039-360.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Stallings.
Passed by the following vote: Mathis-yea, Roberts-yea,
Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 4:42 p.m. in honor of the memory of the following: Margarita Khoury, requested by Council Member Vargas; Gregory Miller, requested by Council Member Kehoe; Monroe "Bookie" Clark, Admiral Marshall E. Dornin, Vroman J. Dorman, Aaron Reese, and William B. "Bill" Eaton, requested by City Attorney John W. Witt.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D331-378).